

REMARKS

In the Office Action¹, the Examiner noted that March 11, 2004; April 7, 2004; April 23, 2004; and June 7, 2005 Information Disclosure Statements (IDSs) fail to comply with the provisions of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609; and rejected claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0019844 to Kurowski et al. ("Kurowski")

By this amendment, Applicants have amended claims 1-7. Claims 1-7 remain pending.

In response to the Examiner's notation regarding the March 11, 2004; April 7, 2004; April 23, 2004; and June 7, 2005 IDSs, Applicants have submitted a new PTO/SB/08 in compliance with 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609. Applicants respectfully request the Examiner to consider the documents cited in the new IDS and indicate such consideration by initialing the form PTO/SB/08.

Applicants respectfully traverse the rejection of claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by *Kurowski*. In order to properly establish that *Kurowski* anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim."

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Kurowski does not disclose each and every element of Applicants' claimed invention. Amended claim 1 defines a combination of features including, for example, "querying a first inferior computer, by a superior computer, to locate a second inferior computer in the network in which to install a first application and to execute the first application."

Kurowski does not include at least "querying a first inferior computer, by a superior computer, to locate a second inferior computer in the network in which to install a first application and to execute the first application," as recited in claim 1. Instead, *Kurowski* teaches "recruiting computing power" and making "client program or software . . . available to potential users" so that "the user will download and then run" a "self-extracting EXE" that will "automatically . . . install the client on user's machine." *Kurowski*, Paragraphs 0045 and 0097. "[T]he client 200 preferably requests tasks from the Task Server 1200." However, these features of *Kurowski* do not constitute "querying a first inferior computer, by a superior computer, to locate a second inferior computer in the network in which to install a first application and to execute the first application," as recited in claim 1.

Because *Kurowski* does not teach or suggest each and every element recited by amended claim 1, *Kurowski* cannot anticipate this claim. Claim 1 is allowable over the art of record. Claims 2 and 3 are also allowable at least due to their dependence from claim 1. Applicants respectfully request that the Examiner withdraw the rejection of claims 1-3 under 35 U.S.C. § 102(b).

Amended claim 4 defines a combination of features including, for example, “a second computer configured to execute a service, wherein the service, upon request from the first application manager, installs and executes a first application.” The Examiner alleges that *Kurowski* discloses “a second computer configured to execute a service (see, e.g. paragraph [0061] (client receives a task from the task server); paragraph [0092] (application modules are downloaded)), wherein the service, upon request from the first application manager, installs and executes a first application . . . (see, e.g., paragraph [0156]).” Office action, page 4. However, this is not correct.

Kurowski does not include at least “a second computer configured to execute a service, wherein the service, upon request from the first application manager, installs and executes a first application,” as recited in claim 4. Instead, *Kurowski* teaches “recruiting computing power” and making “client program or software . . . available to potential users” so that “the user will download and then run” a “self-extracting EXE” that will “automatically . . . install the client on user’s machine.” *Kurowski*, Paragraphs 0045 and 0097. “[T]he client 200 preferably requests tasks from the Task Server 1200.” However, these features of *Kurowski* do not constitute “a second computer configured to execute a service, wherein the service, upon request from the first application manager, installs and executes a first application,” as recited in claim 4.

Because *Kurowski* does not teach or suggest each and every element recited by amended claim 4, *Kurowski* cannot anticipate this claim. Claim 4 is allowable over the art of record. Claims 5-7 are also allowable at least due to their dependence from claim

4. Applicants respectfully request that the Examiner withdraw the rejection of claims 4-7 under 35 U.S.C. § 102(b).

CONCLUSION

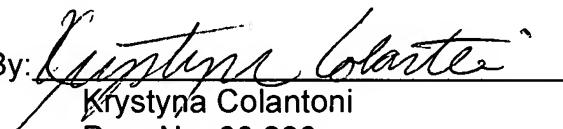
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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